

FILED

FEB 15 2017

Bradley, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA, §
Plaintiff, §
v. §
§
ALL FUNDS UP TO \$803,000.00 IN §
DEUTSCHE BANK TRUST COMPANY §
AMERICAS, ACCOUNT NO. xxxx2943, §
MAINTAINED BY BANK OF CYPRUS §

CIVIL ACTION NO. 17-508

FILED UNDER SEAL

**VERIFIED COMPLAINT FOR CIVIL FORFEITURE
IN REM AND NOTICE TO POTENTIAL CLAIMANTS**

The United States of America, Plaintiff, files this action for forfeiture in rem against all funds up to \$803,000.00 in Deutsche Bank Trust Company Americas, account number xxxx2943, and alleges as follows:

NATURE OF THE ACTION

1. This is a civil forfeiture action *in rem* to forfeit all right, title, and interest in the Defendant Property to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 981(k)(1)(A).

THE DEFENDANT PROPERTY

2. The “Defendant Property” is defined as: All Funds up to \$803,000.00 in Deutsche Bank Trust Company Americas, account number xxxx2943, maintained

by Bank of Cyprus Public Company Ltd., or any other correspondent account maintained by Bank of Cyprus at the Deutsche Bank Trust Company Americas.

3. Bank of Cyprus Public Company Ltd. is a foreign financial institution as defined in 18 U.S.C. § 984(c)(2)(A). Deutsche Bank Trust Company Americas is a financial institution as defined by 31 U.S.C. § 5318(j)(1). Bank of Cyprus Public Company Ltd. has an interbank account, account number xxxx2943, at Deutsche Bank Trust Company Americas. The Defendant Property represents criminal proceeds on deposit with Bank of Cyprus in an account held for the benefit of Croatia Development Ltd. and any related accounts.

JURISDICTION AND VENUE

4. This Court has jurisdiction pursuant to 28 U.S.C. § 1345, as this is a civil action commenced by the United States; and pursuant to 28 U.S.C. § 1355(a), as this is an action or proceeding for the recovery or enforcement of a forfeiture.

5. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1355(b)(1)(A) and 1391(b) because acts or omissions giving rise to the forfeiture occurred within the Southern District of Texas.

FACTUAL BASIS FOR FORFEITURE

6. From in or about November 2014 through in or about January 2015, five persons in the United States (the “victims”) were defrauded into wire transferring approximately \$7,685,000.00 from their bank accounts in the United

States to a bank account in the Republic of Singapore to purchase Certificates of Deposit (“CDs”) that they never received. Three of the victims made their wire transfers from Houston, Texas, a place within the Southern District of Texas.

7. As part of the scheme to defraud, one or more of the persons caused advertisements to appear online for an entity called Bay Securities in San Francisco. Bay Securities claimed to offer CD rates that were better than the rates the victims had found elsewhere.

8. When a potential victim called Bay Securities, the person who answered the phone talked to the caller about the CDs. By telephone and/or email, the victims were instructed to wire transfer payments for the CDs to an account in Singapore.

9. As a result of the online advertisements and communications with Bay Securities, the victims were deceived into believing that they were purchasing CDs at U.S. banks, and they wire transferred an approximate total of \$7,685,000 in U.S. currency directly to a bank account at Overseas Chinese Banking Corp. (“OCBC”) in Singapore, held in the name of Venturious PTE Ltd. (the “Singapore Account”). The money was not used to purchase CDs as represented. The \$7,685,000 that was wire transferred from the victims’ own bank accounts in the United States to the Singapore Account constitutes proceeds of wire fraud.

10. Before the victims transferred \$7,685,000 to the Singapore Account, the account had a balance of approximately \$115.84. During the relevant time period, there were no other deposits to the Singapore Account.

11. Approximately \$7,660,000 was subsequently transferred from the Singapore Account to an account at Bank of Cyprus held in the name of Croatia Development Ltd. (the "Cyprus Account").

12. During the relevant time period, there was only one deposit to the Cyprus Account that did not come from the Singapore account, and it was in the amount of approximately \$8,664.37.

13. Most of the money from the Cyprus Account was subsequently transferred to bank accounts in other countries between December 2014 and February 2015. Approximately \$803,000 remains on deposit in the Cyprus Account.

14. There is reason to believe the Defendant Property constitutes proceeds of wire fraud, a specified unlawful activity, and is therefore subject to seizure and forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 981(k)(1)(A).

NOTICE TO ANY POTENTIAL CLAIMANT

YOU ARE HEREBY NOTIFIED that if you assert an interest in the property subject to forfeiture and want to contest the forfeiture, you must file a verified claim which fulfills the requirements set forth in Rule G of the Supplemental Rules for

Admiralty or Maritime Claims and Asset Forfeiture Actions. The verified claim must be filed no later than 35 days from the date this complaint is sent to you in accordance with Rule G(4)(b). Publication notice of the Complaint for Forfeiture *in rem* will also be provided in accordance with Rule G(4)(a).

An answer or motion under Fed.R.Civ.P. 12 must be filed no later than 21 days after filing the claim pursuant to Rule G(5)(b). The claim and answer must be filed with the United States District Clerk for the Southern District of Texas and a copy must be served upon the undersigned Assistant United States Attorneys at the address provided in this Complaint.

CONCLUSION

The Defendant Property should be forfeited to the United States. The United States requests such additional further relief to which it may be entitled.

Respectfully submitted,

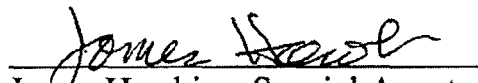
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VERIFICATION

I, James Hawkins, a Special Agent employed by the United States Federal Bureau of Investigation, declare under the penalty of perjury, as provided by 28 U.S.C. § 1746, that I have read the foregoing Verified Complaint for Civil Forfeiture In Rem and Notice to Potential Claimants, and that the facts stated in paragraphs 6-14 of the Complaint are based upon my personal knowledge, upon information obtained from other domestic and foreign law enforcement personnel, or upon information I obtained in the course of my investigation, and they are true and correct to the best of my knowledge and belief.

Executed on the 15Th day of February 2017.


James Hawkins, Special Agent
Federal Bureau of Investigation